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Patent

Attorney's Docket No. 003300-506

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application No: 09/155,642

Examiner: S. Wang

Art Unit: 1617

**REQUEST FORM FOR CONTINUING PROSECUTION**  
**APPLICATION UNDER 37 C.F.R. § 1.53(d)**

#12  
Stop  
11-17-00

**Box CPA**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a [ ] continuation [x] divisional application under 37 C.F.R. § 1.53(d) (Continuing Prosecution Application) of prior Application No. 09/155,642, filed on October 2, 1998, for BIOLOGICALLY ACTIVE COMPOSITION by the following named inventor(s):

- (a) Full Name Åke Lindahl
- (b) Full Name Rickard Bryland
- (c) Full Name \_\_\_\_\_

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

The above-identified prior application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the

11/14/2000 HAMMOND 00000043 09155642

01 FC:131  
02 FC:103

710.00 OP  
450.00 OP



21839

(10/00)

drawings, as the basic papers for the new application. (Note: 37 C.F.R. § 1.53(b) must be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

1. ☐ Enter the amendment previously filed on \_\_ under 37 C.F.R. § 1.116, but unentered, in the prior application.
2. ☒ The election made previously in the prior application does not carry over to this application.
3. ☒ A preliminary amendment is enclosed.
4. ☐ Small entity status is hereby claimed.
5. ☐ The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 3 above:

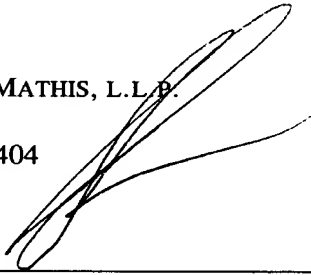
C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$710.00 (101)
Total Claims	45	MINUS 20 =	25	× \$18.00 (103) =	\$450.00
Independent Claims	1	MINUS 3 =	0	× \$80.00 (102) =	0
If multiple dependent claims are presented, add \$270.00 (104)					
Total Application Fee					
If small entity status is claimed, subtract 50% of Total Application Fee					
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$1,160.00</b>

6. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
7. ☒ A check in the amount of \$ 1,160.00 is enclosed for the fee due.
8. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
9. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

10. ☒ Priority of Application No. 9601665-4, filed on April 30, 1996, in SWEDEN  
(country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☐ is enclosed
- ☒ was duly filed in connection with PCT/SE97/00721 and was received by  
DO/EO/US. Thus, it is believed that the priority claim has been properly  
substantiated.
- ☐ has not yet been filed.
11. ☐ Also enclosed \_.
12. ☒ The power of attorney in the prior application is to the attorneys at Burns, Doane,  
Swecker & Mathis LLP.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power  
in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney or Agent \_.
- d. ☐ Address all future communications to: (May only be completed by  
applicant, or attorney or agent of record.)

Benton S. Duffett, Jr.  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: November 13, 2000

By:   
Teresa Stanek Rea  
Registration No. 3,0427

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

- ☐ inventor(s)  
☐ assignee of complete interest  
☐ attorney or agent of record  
☒ filed under 37 C.F.R. § 1.34(a)